

5-1-03

R

05-01-2003

ET



102435657

TO THE ASSISTANT COMMISSIONER OF PATENT

attached original documents or copy thereof.

1. Name of conveying party(ies): (If multiple assignors, list numerically)

New Zealand Dairy Board

- Individual
- Association
- General Partnership
- Limited Partnership
- Corporation - State - New Zealand
- Other:

Additional name(s) of conveying party(ies) attached?  
 Yes  No

2. Name and address of receiving party(ies):

**Name:** New Zealand Milk Brands Limited  
**Internal Address:** Building 103  
**Street Address:** Leonard Isitt Drive, Auckland Airport  
**City:** Auckland **State:** New Zealand **ZIP:**

- Individual
- Association
- General Partnership
- Limited Partnership
- Corporation - State New Zealand
- Other:

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No

(Designations must be a separate document from Assignment)  
Additional name(s) and address(es) attached?  
 Yes  No

3. Nature of conveyance:

- Assignment
- Merger
- Security Agreement
- Change of Name
- Other:

Execution Date: (If multiple assignors, list execution dates in numerical order corresponding to numbers indicated in 1 above) February 21, 2003

4. Application number(s) or registration number(s):

- a. Trademark Application No(s):  
See Attachment B in 1 page
- b. Trademark Registration No(s):  
See Attachment A in 2 pages

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

**Name:** Thomas F. Smegal, Jr.  
KNOBBE, MARTENS, OLSON & BEAR, LLP  
**Customer No.** 20,995  
**Internal Address:** Fourteenth Floor  
**Street Address:** 2040 Main Street  
**City:** Irvine **State:** CA **ZIP:** 92614  
**Attorney's Docket No.:** DAIRY7, 53, 54, 52, 56, 60, 15, 18, 77, 4, 5, 62, new

7. Total fee (37 CFR 1.21(h)): \$365

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

6. Total number of applications and registrations involved:  
14

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.

Thomas F. Smegal, Jr.  
Name of Person Signing

Signature

4/28/03  
Date

Total number of pages including cover sheet, attachments and document: 9

05/01/2003 6TOM11 00000082 1812284

01 FC:8521 40.00 OP  
02 FC:8522 325.00 OP

Mailed documents to be recorded with required cover sheet information to:

U.S. Patent and Trademark Office  
Attn: Assignment Division  
Crystal Gateway-4  
1213 Jefferson Davis Highway, Suite 320  
Arlington, VA 22202

W:\DOCS\TFS\TFS-1288.DOC  
042803

**TRADEMARK**  
**REEL: 002726 FRAME: 0266**

CONSUMER TRADE MARK REGISTRATIONS IN THE NAME OF NEW ZEALAND DAIRY BOARD

5/03/2003

Folder No.	Country	Registration Date	Registration No.	Mark	Class	Goods	Comments
<del>444272</del>	<del>UNITED STATES OF AMERICA</del>	<del>20/12/1989</del>	<del>1572704</del>	<del>ALLWIP</del>	<del>1</del>	<del>SPRAY DRIED MILK PROTEIN BASED PREPARATIONS USED IN THE MANUFACTURING OF FROZEN YOGHURT, WHIPPED TOPPING, AND OTHER LIKE AERATED FOOD PRODUCTS</del>	<del>FILED-ACCEPTED-REGISTERED</del>
313914	UNITED STATES OF AMERICA	21/12/1993	1812284	ANCHOR	29	BUTTER, CHEESE, CREAM, MILK AND MILK POWDER	FILED-ACCEPTED-REGISTERED-AFFIDAVIT OF USE FILED AND GOODS RESTRICTED 1998
313915	UNITED STATES OF AMERICA	21/12/1993	1812285	ANCHOR DEVICE	29	BUTTER, CHEESE, CREAM, MILK AND MILK POWDER	FILED-ACCEPTED-REGISTERED-AFFIDAVIT OF USE FILED AND GOODS RESTRICTED 1998
304979	UNITED STATES OF AMERICA	21/12/1993	1812283	ANCHOR WORD & DEVICE	29	BUTTER, CHEESE, CREAM, MILK AND MILK POWDER	FILED-ACCEPTED-REGISTERED-AFFIDAVIT OF USE FILED AND GOODS RESTRICTED 1998
160030	UNITED STATES OF AMERICA	12/09/1989	1555921	ANCHOR WORD AND DEVICE	29	BUTTER	FILED-ACCEPTED-REGISTERED
379489	UNITED STATES OF AMERICA	4/01/2000	2306487	CHESDALE	29	PROCESSED CHEESE	FILED-ACCEPTED-REGISTERED
<del>444270</del>	<del>UNITED STATES OF AMERICA</del>	<del>12/04/1987</del>	<del>1424660</del>	<del>GOLOSIRX</del>	<del>5</del>	<del>HIGH NUTRITION FOOD FOR NEWBORN CALVES</del>	<del>FILED-ACCEPTED-REGISTERED</del>
<del>142655</del>	<del>UNITED STATES OF AMERICA</del>	<del>14/03/1989</del>	<del>1629897</del>	<del>ECMONT</del>	<del>29</del>	<del></del>	<del>FILED-ACCEPTED-REGISTERED</del>
<del>444273</del>	<del>UNITED STATES OF AMERICA</del>	<del>17/04/1989</del>	<del>1624376</del>	<del>EMANAGED FUNCTIONALITY</del>	<del>1</del>	<del>MILK PROTEINS USED IN THE MANUFACTURING AND PROCESSING OF OTHER FOOD PRODUCTS</del>	<del>FILED-ACCEPTED-REGISTERED</del>
379433	UNITED STATES OF AMERICA	24/08/1999	2272436	FERN	29	BUTTER	FILED-ACCEPTED-REGISTERED
158805	UNITED STATES OF AMERICA	16/03/1993	1758514	FERNDALE	29	CHEESE	FILED-ACCEPTED-REGISTERED-LICENCE UNRECORDED.



CONSUMER TRADE MARK REGISTRATIONS IN THE NAME OF NEW ZEALAND DAIRY BOARD

5/03/2003

45740	UNITED STATES OF AMERICA	1/06/1982	1196948	FERNLEAF DEVICE	29	DAIRY PRODUCTS EXCLUDING ICE CREAM, ICE MILK AND FROZEN YOGHURT	REQUIRE EVIDENCE OF USE AFTER 5th YEAR AND BEFORE END OF 6th YEAR BY AFFIDAVIT-AFFIDAVIT FILED 1988
389206	UNITED STATES OF AMERICA	3/07/2001	2466047	MAINLAND	29	CHEESE	FILED-ACCEPTED-REGISTERED
389221	UNITED STATES OF AMERICA	3/07/2001	2466048	MAINLAND & RONDEL DEVICE	29	CHEESE	FILED-ACCEPTED-REGISTERED
444269	UNITED STATES OF AMERICA	3/01/1995	1870918	NUTRAPLEX	1	DAIRY BASED NUTRITIONAL FOOD INGREDIENTS FOR MANUFACTURING (NON-RETAIL) USE TO BE BLENDED INTO A FOOD FOR HUMANS	FILED-ACCEPTED-REGISTERED
<del>444274</del>	<del>UNITED STATES OF AMERICA</del>	<del>26/10/1976</del>	<del>1054406</del>	<del>SAVORLAC</del>	<del>29</del>	<del>WHEY AND PROTEIN MIXTURE, AN EDIBLE FOOD ADDITIVE</del>	<del>FILED-ACCEPTED-REGISTERED</del>
<del>343989</del>	<del>UNITED STATES OF AMERICA</del>	<del>19/10/1989</del>	<del>1799514</del>	<del>SUPERNATURAL</del>	<del>29</del>	<del>PROCESSED AND UNPROCESSED CHEESES</del>	<del>ASSIGNED FROM KEY INGREDIENTS, ING AND SECTIONS 8 AND 45 AFFIDAVIT FILED AND ACCEPTED 1989-HIGENCE UNRECORDED</del>
51517	UNITED STATES OF AMERICA	21/08/1984	1291356	ZAP	29	FRUIT FLAVOURED MILK, COFFEE FLAVOURED MILK AND CHOCOLATE FLAVOURED MILK	FILED-ACCEPTED-REGISTERED. AFFIDAVIT OF USE FILED 1990.

TRADEMARK

REEL: 002726 FRAME: 0269

**CONSUMER TRADE MARK APPLICATIONS in the Name of  
NEW ZEALAND DAIRY BOARD**

Folder No.	Country	App. Date	App No.	Mark	Class	Goods	Comments
391387	UNITED STATES OF AMERICA	31/08/1998	75/545503	NEW ZEALAND MILK & SPIRIT OF THE LAND DEVICE (RESTRICTED TO THE COLOURS: YELLOW, GREEN, BLUE AND BLACK)	29	MILK, MILK POWDERS, BUTTER, CHEESE, CREAM, YOGHURT AND GHEE	FILED-

DATED

21 February

2003

BETWEEN

**NEW ZEALAND DAIRY BOARD**

("the Assignor")

AND

**NEW ZEALAND MILK BRANDS LIMITED**

("the Assignee")

**DEED OF ASSIGNMENT OF TRADE MARKS**

**DEED OF ASSIGNMENT OF TRADE MARKS**

**BETWEEN**            **NEW ZEALAND DAIRY BOARD** of Pastoral House, 25 The Terrace, Wellington, New Zealand (“**the Assignor**”)

**AND**                    **NEW ZEALAND MILK BRANDS LIMITED** of Building 103, Leonard Isitt Drive, Auckland Airport, Auckland, New Zealand (“**the Assignee**”)

**RECITALS**

- A. The Assignor is the proprietor of the Trade Marks in accordance with the particulars set out in the schedule attached (“**Trade Marks**”).
- B. The Assignor has agreed to assign to the Assignee the Trade Marks and all the Assignor’s rights pertaining to the Trade Marks together with the registrations of the Trade Marks and with the goodwill symbolised by and associated with the Trade Marks.
- C. The Assignor and the Assignee wish to record in this Deed the terms and conditions on which the Assignor has agreed to assign the Trade Marks to the Assignee.

**IT IS AGREED:**

- 1. In consideration of the sum of \$1.00

paid to the Assignor by the Assignee (the receipt of which is hereby acknowledged) the Assignor assigns to the Assignee the Trade Marks and all the Assignor’s rights, remedies and powers in respect of the Trade Marks including:





- (a) all rights connected with the Trade Marks including use rights;
- (b) the registrations of the Trade Marks; and
- (c) all interest of the Assignor in the Trade Marks,

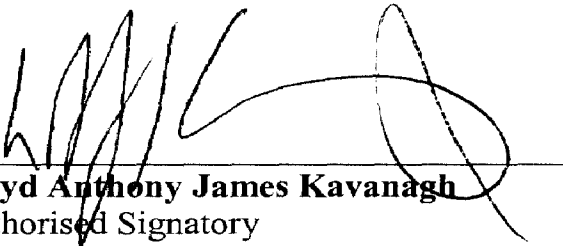
and to hold the Trade Marks and the registrations thereof to the Assignee its successors and assigns absolutely.

- 2. The Assignor hereby covenants that as from the date hereof the Assignor will cease to use the Trade Marks and shall not use the Trade Marks without the permission of the Assignee.

**EXECUTED AS A DEED**

**DATED** this 21st day of February 2003

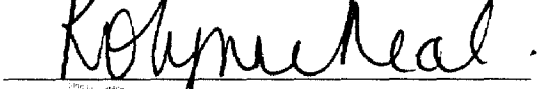
Signed for and on behalf of  
**NEW ZEALAND DAIRY BOARD**  
By:



**Lloyd Anthony James Kavanagh**  
Authorised Signatory

In the presence of:

WITNESS



JOANNE NEAL

Name Wellington

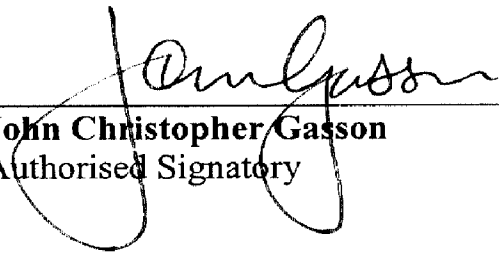
Address Legal Assistant

Occupation

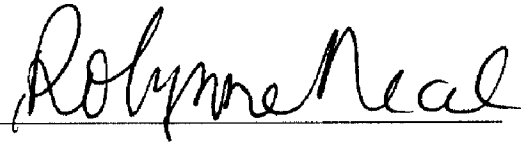


Signed for and on behalf of  
**NEW ZEALAND MILK BRANDS  
LIMITED**

By:

  
\_\_\_\_\_  
**John Christopher Gasson**  
Authorised Signatory

In the presence of:  
WITNESS

  
\_\_\_\_\_

ROBYNNE NEAL

Name Wellington

Address Legal Assistant

Occupation

24323\_1.DOC

RECORDED: 05/01/2003

TRADEMARK  
REEL: 002726 FRAME: 0274

